

ORDERS FROM JUNE 10 THROUGH
JUNE 17, 1968.

JUNE 10, 1968.

Miscellaneous Orders.

No. 69. VOLKSWAGENWERK AKTIENGESELLSCHAFT v. FEDERAL MARITIME COMMISSION ET AL., 390 U. S. 261. Upon consideration of motion of petitioner to amend judgment and retax costs, the judgment heretofore issued in this case on April 1, 1968,* is amended to tax one-half of the costs in favor of petitioner and against respondents Pacific Maritime Assn. and Marine Terminals Corp. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Cecelia H. Goetz* and *Richard Whiting* on the motion. *Solicitor General Griswold* and *Robert N. Katz* for the Federal Maritime Commission et al., *R. Frederic Fisher* for Pacific Maritime Assn., and *William W. Schwarzer* for Marine Terminals Corp., in opposition.

No. 1706, Misc. FLETCHER v. WAINWRIGHT, CORRECTIONS DIRECTOR;

No. 1725, Misc. HILL v. WARDEN, MARYLAND HOUSE OF CORRECTION; and

No. 1746, Misc. CAMPBELL v. CLARK, ATTORNEY GENERAL, ET AL. Motions for leave to file petitions for writs of habeas corpus denied.

*[REPORTER'S NOTE: The judgment and opinion of the Court were dated March 6, 1968.]

June 10, 1968.

392 U. S.

Probable Jurisdiction Postponed.

No. 661. ALLEN ET AL. *v.* STATE BOARD OF ELECTIONS ET AL. Appeal from D. C. E. D. Va. Further consideration of question of jurisdiction in this case postponed to hearing of case on the merits. *Jack Greenberg, James M. Nabrit III, Oliver W. Hill, S. W. Tucker, and Henry L. Marsh III* for appellants. *Robert Y. Button*, Attorney General of Virginia, and *R. D. McIlwaine III*, Assistant Attorney General, for appellees. *Solicitor General Griswold* and *Assistant Attorney General Pollak* filed a memorandum for the United States by invitation of the Court. Reported below: 268 F. Supp. 218.

No. 1058. FAIRLEY ET AL. *v.* PATTERSON, ATTORNEY GENERAL OF MISSISSIPPI, ET AL.;

No. 1059. BUNTON ET AL. *v.* PATTERSON, ATTORNEY GENERAL OF MISSISSIPPI, ET AL.;

No. 1174. WHITLEY ET AL. *v.* WILLIAMS, GOVERNOR OF MISSISSIPPI, ET AL. Appeals from D. C. S. D. Miss. Further consideration of question of jurisdiction in these cases postponed to hearing of the cases on the merits. Cases consolidated and a total of two hours allotted for oral argument. *Denison Ray* and *Lawrence Aschenbrenner* for appellants in Nos. 1058 and 1059. *Armand Derfner, Alvin J. Bronstein, and Richard B. Sobol* for appellants in No. 1174. *Joe T. Patterson*, Attorney General of Mississippi, *pro se*, and *William A. Allain* and *Will S. Wells*, Assistant Attorneys General, for appellees in all three cases. *Solicitor General Griswold, Assistant Attorney General Pollak, Louis F. Claiborne, Francis X. Beytagh, Jr., and Nathan Lewin* filed a memorandum for the United States, as *amicus curiae*, by invitation of the Court. Reported below: No. 1058, 282 F. Supp. 164; No. 1059, 281 F. Supp. 918.

392 U. S.

June 10, 1968.

Certiorari Granted. (See also No. 135, *ante*, p. 299; No. 1076, *ante*, p. 300; No. 1219, *ante*, p. 301; No. 1407, *ante*, p. 296; No. 78, Misc., *ante*, p. 303; No. 117, Misc., *ante*, p. 304; No. 200, Misc., *ante*, p. 305; No. 279, Misc., *ante*, p. 306; No. 440, Misc., *ante*, p. 297; No. 443, Misc., *ante*, p. 307; No. 548, Misc., *ante*, p. 308; No. 920, Misc., *ante*, p. 293; and No. 1070, Misc., *ante*, p. 298.)

No. 1365. *LEARY v. UNITED STATES*. C. A. 5th Cir. *Certiorari* granted limited to Questions I and IV, presented by the petition which read as follows:

"I. Whether the registration and tax provisions in 26 U. S. C. Sections 4741 (a), 4742 and 4744 (a), as applied to Petitioner, violate his privilege against self incrimination protected by the Fifth Amendment to the United States Constitution and his rights thereunder as amplified by this Court in three recently decided cases: *Marchetti v. U. S.*, 390 U. S. 39 (1968); *Grosso v. U. S.*, 390 U. S. 62 (1968); and *Haynes v. U. S.*, 390 U. S. 85 (1968)."

"IV. Whether Petitioner was denied due process under the Fifth Amendment by the application, under the circumstances of this case, of the provisions of 21 U. S. C. § 176a, providing that an inference may be drawn respecting the illegal origin and nature of marihuana solely from possession thereof."

Robert J. Haft for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, and *Beatrice Rosenberg* for the United States. Reported below: 383 F. 2d 851.

No. 1380. *PRESBYTERIAN CHURCH IN THE UNITED STATES ET AL. v. MARY ELIZABETH BLUE HULL MEMORIAL PRESBYTERIAN CHURCH ET AL.* Sup. Ct. Ga. Motion of William P. Thompson, Stated Clerk of the General Assembly of the United Presbyterian Church in the

June 10, 1968.

392 U. S.

United States of America, et al., for leave to file a brief, as *amici curiae*, granted. Certiorari granted. *George Wilson McKeag* on the motion. *Robert B. Troutman* and *Charles L. Gowen* for petitioners. *Richard T. Cowan* for *Mary Elizabeth Blue Hull Memorial Presbyterian Church*, and *Owen H. Page* for *Eastern Heights Presbyterian Church et al.*, respondents. Reported below: 224 Ga. 61, 159 S. E. 2d 690.

No. 1378. BROTHERHOOD OF RAILROAD TRAINMEN ET AL. v. JACKSONVILLE TERMINAL Co. Dist. Ct. App. Fla., 1st Dist. Certiorari granted. MR. JUSTICE FORTAS took no part in the consideration or decision of this petition. *Lester P. Schoene* and *Neal P. Rutledge* for petitioners. *Paul A. Porter*, *Dennis G. Lyons*, *Daniel A. Rezneck*, and *Adam G. Adams II* for respondent. Reported below: 201 So. 2d 253.

Certiorari Denied. (See also No. 1398, *ante*, p. 296; No. 548, Misc., *ante*, p. 308; No. 1221, Misc., *ante*, p. 298; and No. 1637, Misc., *ante*, p. 297.)

No. 399. PRICE v. NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 9th Cir. Certiorari denied. *Kenneth C. McGuinness* and *Stanley R. Strauss* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, and *Norton J. Come* for National Labor Relations Board, and *Bernard Kleiman*, *Elliot Bredhoff*, *Michael H. Gottesman*, and *George H. Cohen* for United Steelworkers of America, AFL-CIO, Local Union No. 4028, respondents. Reported below: 373 F. 2d 443.

No. 627. CORNELL ET AL. v. UNITED STATES. C. A. 2d Cir. Certiorari denied. *Marvin M. Karparkin* and *Alan H. Levine* for petitioners. *Acting Solicitor General Spritzer*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Jerome M. Feit* for the United States. Reported below: 384 F. 2d 115.

392 U.S.

June 10, 1968.

No. 1089. *BLOCK ET AL. v. COMPAGNIE NATIONALE AIR FRANCE*. C. A. 5th Cir. Certiorari denied. *Lee S. Kreindler, William H. Schroder, and Hugh M. Dorsey, Jr.*, for petitioners. *E. Smythe Gambrell and Charles A. Moye, Jr.*, for respondent. *Solicitor General Griswold* submitted a memorandum for the United States, as *amicus curiae*, by invitation of the Court. Reported below: 386 F. 2d 323.

No. 1349. *BUCHANAN v. OREGON*. Sup. Ct. Ore. Certiorari denied. *Harold V. Johnson, Jr.*, for petitioner. Reported below: — Ore. —, 436 P. 2d 729.

No. 1353. *ELMO CO., INC. v. FEDERAL TRADE COMMISSION*. C. A. D. C. Cir. Certiorari denied. *George Stephen Leonard* for petitioner. *Solicitor General Griswold, Assistant Attorney General Turner, Howard E. Shapiro, James McI. Henderson, and Daniel H. Hanscom* for respondent. Reported below: 128 U. S. App. D. C. 380, 389 F. 2d 550.

No. 1355. *BEDDING, CURTAIN & DRAPERY WORKERS UNION, LOCAL 140 OF UNITED FURNITURE WORKERS OF AMERICA, AFL-CIO v. NATIONAL LABOR RELATIONS BOARD*. C. A. 2d Cir. Certiorari denied. *Leonard B. Boudin and Victor Rabinowitz* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Allison W. Brown, Jr.*, for respondent. Reported below: 390 F. 2d 495.

No. 1373. *PROBRO, INC., DBA LAKEWOOD CLUB v. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL OF CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Ellis J. Horvitz and Samuel Goldfarb* for petitioner. *Thomas C. Lynch, Attorney General of California, and Kenneth Scholtz, Deputy Attorney General*, for respondent.

June 10, 1968.

392 U. S.

No. 1356. *GRAY v. JOHNSON ET AL.* C. A. 10th Cir. Certiorari denied. *Frank T. McCoy* for petitioner. *Solicitor General Griswold, Assistant Attorney General Martz, and A. Donald Mileur* for respondents Johnson et al. Reported below: 395 F. 2d 533.

No. 1357. *PILKINTON v. PILKINTON.* C. A. 8th Cir. Certiorari denied. Reported below: 389 F. 2d 32.

No. 1360. *AMERICAN CYANAMID CO. v. NOPCO CHEMICAL CO.* C. A. 4th Cir. Certiorari denied. *W. Brown Morton, Jr., and John T. Roberts* for petitioner. *Jerome G. Lee, George B. Finnegan, Jr., John D. Foley, and Otto G. Obermaier* for respondent. Reported below: 388 F. 2d 818.

No. 1362. *CANADA v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1367. *PRESTON PRODUCTS CO., INC. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. *John W. Cumiskey and Stephen C. Bransdorfer* for petitioner. *Solicitor General Griswold* for respondent National Labor Relations Board. Reported below: — U. S. App. D. C. —, 392 F. 2d 801.

No. 1368. *BELVINS v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Billy L. Evans* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States. Reported below: 391 F. 2d 269.

No. 1370. *CAVE v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. *Verne Lawyer* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 390 F. 2d 58.

392 U. S.

June 10, 1968.

No. 1374. AN ARTICLE OF DEVICE . . . DIAPULSE MANUFACTURING CORP. OF AMERICA *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Milton A. Bass* and *Solomon H. Friend* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Paul R. Walsh* for the United States. Reported below: 389 F. 2d 612.

No. 1381. HONG KONG & SHANGHAI BANK, HONG KONG (TRUSTEE) LTD. *v.* SUPERIOR COURT OF CALIFORNIA IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO (PARRY ET AL., REAL PARTIES IN INTEREST). Ct. App. Cal., 1st App. Dist. Certiorari denied. *William H. Orrick, Jr.*, for petitioner. *David B. Caldwell* for Parry et al.

No. 1383. REPASS *v.* VREELAND ET AL. C. A. 3d Cir. Certiorari denied. *Milton Diamond* for petitioner. *Peter A. Williams* for respondents. Reported below: 389 F. 2d 981.

No. 1388. KNOX GLASS, INC. *v.* BOWSER & CAMPBELL ET AL. C. A. 3d Cir. Certiorari denied. *Thomas W. Pomeroy, Jr.*, and *Judd N. Poffinberger, Jr.*, for petitioner. Reported below: 390 F. 2d 193.

No. 1395. NICKERSON *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Darrell J. Skelton* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Kirby W. Patterson* for the United States. Reported below: 391 F. 2d 760.

No. 1452. SCARSELLETTI *v.* AETNA CASUALTY & SURETY Co. Sup. Ct. Pa. Certiorari denied.

June 10, 1968.

392 U. S.

No. 1411. *LUNOW v. FAIRCHANCE LUMBER CO. ET AL.* C. A. 10th Cir. Certiorari denied. *Leslie L. Conner* and *James M. Little* for petitioner. *Gene H. Henry, Clayton B. Pierce, and Edgar R. Fenton* for respondents. Reported below: 389 F. 2d 212.

No. 765. *WILLS v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS, MR. JUSTICE BRENNAN, and MR. JUSTICE STEWART would grant certiorari. *Kenneth A. MacDonald* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Jerome M. Feit* for the United States. Reported below: 384 F. 2d 943.

No. 1324. *BRYANT CHUCKING GRINDER CO. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS would grant certiorari. *Kenneth C. McGuiness* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondent National Labor Relations Board. Reported below: 389 F. 2d 565.

No. 1361. *SUMMIT FIDELITY & SURETY CO. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS would grant certiorari and would reverse judgment of the lower court. *Melvin B. Lewis* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States.

No. 831, Misc. *RICHARDSON v. NELSON, WARDEN, ET AL.* Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch, Attorney General of California, and Derald E. Granberg and James B. Cuneo, Deputy Attorneys General, for respondents.*

392 U. S.

June 10, 1968.

No. 1178. *FRANZEN v. TOWNSHIP OF ELK ET AL.* Super. Ct. N. J. Certiorari denied. MR. JUSTICE DOUGLAS would grant certiorari. *Joseph Pierce Lodge* and *Henry D. O'Connor* for petitioner. *Joseph Narrow* for respondents Township of Elk et al.

No. 1329. *SOUTHERN CALIFORNIA EDISON Co. v. FEDERAL POWER COMMISSION.* C. A. 3d Cir. Certiorari denied. MR. JUSTICE WHITE took no part in the consideration or decision of this petition. *Rollin E. Woodbury*, *Harry W. Sturges, Jr.*, *William E. Marx*, and *William R. Connoles* for petitioner. *Solicitor General Griswold*, *Richard A. Solomon*, *Peter H. Schiff*, *Robert L. Russell*, and *Israel Convisser* for respondent. *James W. McCartney* for Transwestern Pipeline Co., intervenor below, in opposition. Reported below: 387 F. 2d 619.

No. 1354. *OELSCHLAEGER v. UDALL, SECRETARY OF THE INTERIOR, ET AL.* C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS would grant certiorari. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Samuel W. McIntosh* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Martz*, and *Roger P. Marquis* for respondents. Reported below: — U. S. App. D. C. —, 389 F. 2d 974.

No. 1358. *DE LUCIA v. ATTORNEY GENERAL OF THE UNITED STATES.* C. A. D. C. Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Jack Wasserman* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Charles Gordon* for respondent. Reported below: — U. S. App. D. C. —, — F. 2d —.

June 10, 1968.

392 U. S.

No. 961, Misc. *PATILLO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Walter R. Jones*, Deputy Attorney General, for respondent. Reported below: 253 Cal. App. 2d 7, 61 Cal. Rptr. 247.

No. 1026, Misc. *JAMES v. SUPERIOR COURT OF THE COUNTY OF LOS ANGELES*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, and *Robert M. Snader*, Deputy Attorney General, for Real Estate Commissioner, real party in interest.

No. 1077, Misc. *BEATTIE v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, and *Edward P. O'Brien*, and *Louise H. Renne*, Deputy Attorneys General, for respondent.

No. 1081, Misc. *BONNER v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. *Sam Adam*, *R. Eugene Pincham*, and *Earl E. Strayhorn* for petitioner. *William G. Clark*, Attorney General of Illinois, and *John J. O'Toole* and *Donald J. Veverka*, Assistant Attorneys General, for respondent. Reported below: 37 Ill. 2d 553, 229 N. E. 2d 527.

No. 1119, Misc. *RUIZ v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. *Earl Faircloth*, Attorney General of Florida, and *Harold Mendelow*, Assistant Attorney General, for respondent. Reported below: 199 So. 2d 478.

No. 1364, Misc. *SHEPPARD v. CALIFORNIA ET AL.* Sup. Ct. Cal. Certiorari denied.

392 U. S.

June 10, 1968.

No. 1121, Misc. *RILEY v. RHAY*, PENITENTIARY SUPERINTENDENT. Sup. Ct. Wash. Certiorari denied. *John J. O'Connell*, Attorney General of Washington, and *William E. Howard*, Assistant Attorney General, for respondent.

No. 1137, Misc. *BEACHUM v. NEW MEXICO*; and

No. 1138, Misc. *WILLIAMS v. NEW MEXICO*. Sup. Ct. N. M. Certiorari denied. *Boston E. Witt*, Attorney General of New Mexico, for respondent in both cases. Reported below: 78 N. M. 390, 432 P. 2d 101.

No. 1147, Misc. *DEESE v. LOUISIANA*. Sup. Ct. La. Certiorari denied. *Jack P. F. Gremillion*, Attorney General of Louisiana, and *William P. Schuler*, Assistant Attorney General, for respondent. Reported below: 251 La. 63, 202 So. 2d 663.

No. 1148, Misc. *WADDY v. RUSSELL*, WARDEN. C. A. 6th Cir. Certiorari denied. *Karl P. Warden* for petitioner. *George F. McCanless*, Attorney General of Tennessee, and *Ed R. Davies* for respondent. Reported below: 383 F. 2d 789.

No. 1130, Misc. *OLDHAM v. BISHOP*, PENITENTIARY SUPERINTENDENT. C. A. 8th Cir. Certiorari denied. *Joe Purcell*, Attorney General of Arkansas, and *Don Langston*, Assistant Attorney General, for respondent.

No. 1236, Misc. *SUTTON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. *Charles W. Tessmer* for petitioner. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Robert C. Flowers* and *Lonny F. Zwiener*, Assistant Attorneys General, and *A. J. Carubbi, Jr.*, for respondent. Reported below: 419 S. W. 2d 857

June 10, 1968.

392 U. S.

No. 1187, Misc. *VICKERS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Nelson Woodson* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, and *Beatrice Rosenberg* for the United States. Reported below: 387 F. 2d 703.

No. 1309, Misc. *HODGE v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. *William Earl Badgett* for petitioner. *George F. McCanless*, Attorney General of Tennessee, and *Robert F. Hedgepath*, Assistant Attorney General, for respondent.

No. 1337, Misc. *LEWIS v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 433 P. 2d 854.

No. 1369, Misc. *SALINAS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 1374, Misc. *CURCIO v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 255 Cal. App. 2d 183, 63 Cal. Rptr. 184.

No. 1414, Misc. *BROWNE v. BURKE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 1428, M. *FAIRHURST v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Herman I. Pollock* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, and *Beatrice Rosenberg* for the United States.

No. 1515, Misc. *LOWE v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, and *Beatrice Rosenberg* for the United States. Reported below: 389 F. 2d 108.

392 U.S.

June 10, 1968.

No. 1551, Misc. *FORT v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 1557, Misc. *BERKERY v. RUNDLE*, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied. Reported below: 390 F. 2d 599.

No. 1558, Misc. *MITCHELL v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 1559, Misc. *BURR v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 72 Wash. 2d 38, 431 P. 2d 590.

No. 1561, Misc. *LARRANAGA v. RODRIGUEZ*, ACTING WARDEN. C. A. 10th Cir. Certiorari denied.

No. 1567, Misc. *DURAIN v. WINGO*, WARDEN. Ct. App. Ky. Certiorari denied.

No. 1569, Misc. *WILLIAMS v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied. Reported below: 2 Md. App. 170, 234 A. 2d 260.

No. 1570, Misc. *PICHE v. RHAY*, PENITENTIARY SUPERINTENDENT. Sup. Ct. Wash. Certiorari denied.

No. 1576, Misc. *BAILEY v. SMITH*, WARDEN. Sup. Ct. Ga. Certiorari denied.

No. 1579, Misc. *SILVA v. BETO*, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. Reported below: 387 F. 2d 369.

No. 1584, Misc. *BOONE v. PEYTON*, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

June 10, 1968.

392 U.S.

No. 1580, Misc. *FOOSE v. RUNDLE*, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied. Reported below: 389 F. 2d 54.

No. 1583, Misc. *HAYNES v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 253 Cal. App. 2d 1060, 61 Cal. Rptr. 859.

No. 1585, Misc. *COOK v. CALIFORNIA*. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 1586, Misc. *TOLLETT v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied.

No. 1587, Misc. *HULL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 391 F. 2d 257.

No. 1588, Misc. *EASON v. DICKSON, CHAIRMAN, ADULT AUTHORITY OF CALIFORNIA, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 390 F. 2d 585.

No. 1598, Misc. *KELLER v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Leon B. Polsky* for petitioner. *Frank S. Hogan* and *H. Richard Uviller* for respondent. Reported below: 21 N. Y. 2d 705, 234 N. E. 2d 698.

No. 1600, Misc. *JOHNSON v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied.

No. 1601, Misc. *SEARS v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied.

No. 1603, Misc. *FURTAK v. McMANN, WARDEN*. C. A. 2d Cir. Certiorari denied.

392 U.S.

June 10, 1968.

No. 1609, Misc. *ZIMMERMAN v. WARDEN, MARYLAND HOUSE OF CORRECTION*. C. A. 4th Cir. Certiorari denied. *H. Thomas Howell* for petitioner.

No. 1612, Misc. *ROZIER v. FORDON, PAROLE ADMINISTRATOR, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 1617, Misc. *NELSON v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 200 Kan. 411, 436 P. 2d 885.

No. 1618, Misc. *JOHNSON v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Frank L. Cowles, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, and Jerome M. Feit* for the United States. Reported below: 390 F. 2d 620.

No. 1619, Misc. *SCHACK v. WAINWRIGHT, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. Reported below: 391 F. 2d 608.

No. 1620, Misc. *CRAIG v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied.

No. 1622, Misc. *FURTAK v. NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 1630, Misc. *CANCEL v. DELGADO*. C. A. 1st Cir. Certiorari denied. Reported below: 363 F. 2d 105.

No. 1631, Misc. *RODRIGUEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1636, Misc. *PATRICK v. PEYTON, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied.

June 10, 1968.

392 U.S.

No. 1633, Misc. *MOSDEN v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

No. 1644, Misc. *SCHACK v. FLORIDA*. C. A. 5th Cir. Certiorari denied. Reported below: 391 F. 2d 593.

No. 1645, Misc. *RUIZ v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 1650, Misc. *SEARFOSS v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 1651, Misc. *FURTAK v. McMANN, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 1660, Misc. *WELSH v. NELSON, WARDEN*. Sup. Ct. Cal. Certiorari denied.

No. 1661, Misc. *NELSON v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 200 Kan. 411, 436 P. 2d 885.

No. 1663, Misc. *CARBRAY v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 435 P. 2d 188.

No. 1688, Misc. *WINEGAR v. KROPP, WARDEN*. C. A. 6th Cir. Certiorari denied. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *Stewart H. Freeman*, Assistant Attorney General, for respondent.

No. 852, Misc. *KOLOMYSKI v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS would grant certiorari. *Solicitor General Griswold* for the United States.

392 U. S.

June 10, 1968.

No. 1758, Misc. *McDERMOTT v. MARONEY*, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

Rehearing Granted. (See No. 135, *ante*, p. 299.)

Rehearing Denied.

No. 851, October Term, 1966. *MILLER v. UNITED STATES*, 385 U. S. 911. Motion for leave to file petition for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion.

No. 303, Misc., October Term, 1966. *CURRY v. UNITED STATES*, 385 U. S. 873, 387 U. S. 949; and

No. 528. *BERGUIDO ET AL. v. EASTERN AIRLINES, INC.*, 390 U. S. 996, 391 U. S. 909. Motions for leave to file second petitions for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of these motions.

No. 497. *HANNER v. DEMARCUS ET UX.*, 390 U. S. 736; and

No. 1185. *JOFFE v. JOFFE*, 390 U. S. 1039. Petitions for rehearing denied.

No. 105. *BASS ET AL. v. FEDERAL POWER COMMISSION*, 390 U. S. 747; and

No. 223. *MITTELMAN v. UNITED STATES*, 389 U. S. 835. Petitions for rehearing denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of these petitions.

No. 1163. *VIRGO CORP. v. PAIEWONSKY*, GOVERNOR OF THE VIRGIN ISLANDS, ET AL., 390 U. S. 1041. Petition for rehearing denied. MR. JUSTICE FORTAS took no part in the consideration or decision of this petition.

June 14, 17, 1968.

392 U.S.

JUNE 14, 1968.

Dismissal Under Rule 60.

No. 714, Misc. MUNKELWITZ *v.* HENNEPIN COUNTY WELFARE DEPARTMENT. Sup. Ct. Minn. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Harlan E. Smith* for petitioner. *George M. Scott* and *Henry W. McCarr* for respondent. Reported below: 276 Minn. 554, 150 N. W. 2d 24.

JUNE 17, 1968.

*Miscellaneous Orders.*No. 17, Orig. NEBRASKA *v.* IOWA.

IT IS ORDERED that the Honorable Charles J. Vogel, Senior Judge of the United States Court of Appeals for the Eighth Circuit, be, and he is hereby, appointed Special Master in this case in the place of the Honorable Walter L. Pope, resigned. The Special Master shall have the authority to fix the time and conditions for the filing of additional pleadings and to direct subsequent proceedings, and with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem it necessary to call for. The Master is directed to submit such reports as he may deem appropriate.

The Master shall be allowed his actual expenses. The allowances to him, the compensation paid to his technical, stenographic, and clerical assistants, the cost of printing his report, and all other proper expenses shall be charged against and be borne by the parties in such proportion as the Court hereafter may direct.

IT IS FURTHER ORDERED that if the position of Special Master in this case becomes vacant during a recess of the

392 U. S.

June 17, 1968.

Court, THE CHIEF JUSTICE shall have authority to make a new designation which shall have the same effect as if originally made by the Court herein.

[For earlier orders herein, see, *e. g.*, 380 U. S. 968.]

No. —. *HUJUS v. WASHINGTON*. Super. Ct. Wash., Island County. Application for supersedeas bond presented to MR. JUSTICE BLACK, and by him referred to the Court, denied. *William B. Holland* for applicant.

No. 73. *IN RE RUFFALO*, 390 U. S. 544, 391 U. S. 961. The judgment heretofore issued in this case on May 28, 1968,* is amended to omit the provision therein taxing costs in favor of petitioner against the Ohio State and Mahoning County Bar Associations. MR. JUSTICE STEWART took no part in the consideration or decision of this order.

No. 133. *ALDERMAN ET AL. v. UNITED STATES*, 390 U. S. 136, 985, *sub nom. KOLOD v. UNITED STATES*.

Motion of the United States to modify our order of January 29, 1968, 390 U. S. 136, restored to calendar for reargument at 1968 Term. Counsel requested to include among issues to be discussed in briefs and oral arguments the following:

(1) Should the records of the electronic surveillance of petitioner Alderisio's place of business be subjected to *in camera* inspection by the trial judge to determine the necessity of compelling the Government to make disclosure of such records to petitioners, and if so to what extent?

(2) If *in camera* inspection is authorized or ordered, by what standards (for example, relevance and considera-

*[REPORTER'S NOTE: The judgment and opinion of the Court were dated April 8, 1968.]

June 17, 1968.

392 U. S.

tions of injury to persons or to reputations) should the trial judge determine whether the records are to be turned over to petitioners?

(3) What standards are to be applied in determining whether each petitioner has standing to object to the use against him of the information obtained from the electronic surveillance of petitioner Alderisio's place of business? More specifically, does petitioner Alderisio have standing to object to the use of any or all information obtained from such electronic surveillance whether or not he was present on the premises or party to a particular overheard conversation? Also, does petitioner Alderman have standing to object to the use against him of any or all information obtained from the electronic surveillance of petitioner Alderisio's business establishment?

MR. JUSTICE MARSHALL took no part in the consideration or decision of this order.

No. 813. SHAPIRO, COMMISSIONER OF WELFARE OF THE STATE OF CONNECTICUT *v.* THOMPSON. Appeal from D. C. Conn. (Probable jurisdiction noted, 389 U. S. 1032);

No. 1134. WASHINGTON ET AL. *v.* LEGRANT ET AL. Appeal from D. C. D. C. (Probable jurisdiction noted, 390 U. S. 940); and

No. 1138. REYNOLDS ET AL. *v.* SMITH ET AL. Appeal from D. C. E. D. Pa. (Probable jurisdiction noted, 390 U. S. 940.) These cases are restored to the calendar for reargument.

No. 1469. PALMIERI *v.* FLORIDA. Sup. Ct. Fla. (Certiorari granted, 391 U. S. 934.) Motion of petitioner for appointment of counsel granted. It is ordered that *Phillip Goldman, Esquire*, of Miami, Florida, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

392 U.S.

June 17, 1968.

No. 950. BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN ET AL. *v.* CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. ET AL.; and

No. 973. HARDIN, PROSECUTING ATTORNEY, ET AL. *v.* CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. ET AL. Appeals from D. C. W. D. Ark. (Probable jurisdiction noted, 390 U. S. 941.) Motion for additional time for oral argument denied. MR. JUSTICE FORTAS took no part in the consideration or decision of this motion. *Robert V. Light* on the motion.

No. 1301. IAQUINTA *v.* NEW YORK CITY EMPLOYEES RETIREMENT SYSTEM ET AL. Ct. App. N. Y. Motion to vacate order of dismissal and for leave to docket appeal denied. [For earlier orders herein, see, *e. g.*, 390 U. S. 1009.]

No. 1331, Misc. BOONE *v.* COPINGER, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. *Francis B. Burch*, Attorney General of Maryland, and *Alfred J. O'Ferrall III*, Assistant Attorney General, for respondent in opposition.

No. 1684, Misc. LUNDBERG *v.* BUCHKOE, WARDEN;

No. 1819, Misc. KOHLFUSS *v.* REINCKE, WARDEN;

No. 1831, Misc. MEUNIER *v.* WISCONSIN;

No. 1855, Misc. SMITH *v.* LLOYD, CORRECTIONAL SUPERINTENDENT;

No. 1857, Misc. NEELY *v.* ROCKVIEW CORRECTIONAL INSTITUTION SUPERINTENDENT;

No. 1869, Misc. RODRIGUEZ *v.* NELSON, WARDEN, ET AL.; and

No. 1875, Misc. HARRIS *v.* RHAY, PENITENTIARY SUPERINTENDENT. Motions for leave to file petitions for writs of habeas corpus denied.

June 17, 1968.

392 U. S.

No. 1665, Misc. *CORD v. SMITH ET AL.* Motion for leave to file petition for writ of certiorari, mandamus and/or prohibition denied. *Milo V. Olson, William K. Woodburn, and Edward D. Neuhoﬀ* on the motion. Respondent *Lyndol L. Young, pro se*, in support of the petition for certiorari.

No. 1627, Misc. *BOYDEN v. CURTIS*, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. *Solicitor General Griswold* for the United States in opposition. Reported below: See 363 F. 2d 551.

No. 1604, Misc. *LAWRENCE v. TEXAS ET AL.*;

No. 1675, Misc. *BIGGS v. CAMPBELL*, CHIEF JUDGE, U. S. DISTRICT COURT;

No. 1708, Misc. *BAILEY v. MACDOUGALL*, CORRECTIONS DIRECTOR;

No. 1709, Misc. *DAILEY v. SMITH*; and

No. 1854, Misc. *BIGGS v. DOES ET AL.* Motions for leave to file petitions for writs of mandamus denied.

No. 1638, Misc. *SEPULVEDA-CASADOS v. SUTTLE*, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus and/or prohibition denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States in opposition.

No. 1724, Misc. *McLOUGHLIN MANUFACTURING CORP. ET AL. v. WRIGHT*, U. S. CIRCUIT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus and/or prohibition denied. *Earl D. Yaffe and Jacob E. Yaffe* on the motion. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondents *Wright et al.* in opposition.

392 U.S.

June 17, 1968.

Probable Jurisdiction Noted.

No. 688. *STREET v. NEW YORK*. Appeal from Ct. App. N. Y. Probable jurisdiction noted. *David T. Goldstick, Osmond K. Fraenkel, John J. McAvoy, Alan H. Levine, and Melvin L. Wulf* for appellant. *Aaron E. Koota and Harry Brodbar* for appellee. Reported below: 20 N. Y. 2d 231, 229 N. E. 2d 187.

No. 1277. *UNITED STATES v. NARDELLO ET AL.* Appeal from D. C. E. D. Pa. Probable jurisdiction noted. *Solicitor General Griswold and Assistant Attorney General Vinson* for the United States. *F. Emmett Fitzpatrick, Jr.*, for appellees. Reported below: 278 F. Supp. 711.

Certiorari Granted. (See also No. 559, *ante*, p. 631; No. 932, *ante*, p. 655; No. 941, *ante*, p. 631; No. 1188, *ante*, p. 657; No. 997, *ante*, p. 636; No. 1133, *ante*, p. 647; No. 1291, *ante*, p. 658; No. 34, Misc., *ante*, p. 651; No. 45, Misc., *ante*, p. 660; No. 668, Misc., *ante*, p. 639; No. 759, Misc., *ante*, p. 649; No. 830, Misc., *ante*, p. 650; No. 857, Misc., *ante*, p. 661; No. 933, Misc., *ante*, p. 662; No. 1095, Misc., *ante*, p. 647; No. 1127, Misc., *ante*, p. 663; No. 1201, Misc., *ante*, p. 644; No. 1203, Misc., *ante*, p. 645; No. 1208, Misc., *ante*, p. 645; No. 1224, Misc., *ante*, p. 664; No. 1233, Misc., *ante*, p. 646; No. 1301, Misc., *ante*, p. 652; No. 1311, Misc., *ante*, p. 649; No. 1485, Misc., *ante*, p. 647; No. 1535, Misc., *ante*, p. 652; No. 1599, Misc., *ante*, p. 665; No. 1625, Misc., *ante*, p. 666; No. 1700, Misc., *ante*, p. 647; and No. 1823, Misc., *ante*, p. 649.)

No. 885. *IVANOV v. UNITED STATES*; and

No. 1007, Misc. *BUTENKO v. UNITED STATES*. C. A. 3d Cir.

Motion to amend petition and petition for writ of certiorari in No. 885 granted. Motion for leave to pro-

June 17, 1968.

392 U.S.

ceed *in forma pauperis* and petition for writ of certiorari in No. 1007, Misc., granted, and case transferred to appellate docket. Cases set for oral argument immediately following reargument in No. 133, *Alderman et al. v. United States*, *supra*, p. 919. Grants of certiorari in both of these cases limited to the following questions:

On the assumption that there was electronic surveillance of petitioner or a codefendant which violated the Fourth Amendment,

(1) Should the records of such electronic surveillance be subjected to *in camera* inspection by the trial judge to determine the necessity of compelling the Government to make disclosure of such records to petitioner, and if so to what extent?

(2) If *in camera* inspection is to be authorized or ordered, by what standards (for example, relevance, and considerations of national security or injury to persons or reputations) should the trial judge determine whether the records are to be turned over to the defendant?

(3) What standards are to be applied in determining whether petitioner has standing to object to the use against him of information obtained from such illegal surveillance? More specifically, if illegal surveillance took place at the premises of a particular defendant,

(a) Does that defendant have standing to object to the use against him of any or all information obtained from the illegal surveillance, whether or not he was present on the premises or party to the overheard conversation?

(b) Does a codefendant have standing to object to the use against him of any or all information obtained from the illegal surveillance, whether or not he was present on the premises or party to the overheard conversation?

MR. JUSTICE MARSHALL took no part in the consideration or decision of these motions and these petitions.

392 U. S.

June 17, 1968.

Edward Bennett Williams for petitioner in No. 885. *Solicitor General Griswold, Assistant Attorney General Yeagley, Kevin T. Maroney, and Lee B. Anderson* for the United States in both cases. Reported below: 384 F. 2d 554.

No. 495, Misc. *SMITH v. HOOEY*, JUDGE. Sup. Ct. Tex. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *Joe S. Moss* for respondent. *Solicitor General Griswold* filed a memorandum for the United States by invitation of the Court (390 U. S. 937).

No. 753, Misc. *HARRIS*, U. S. DISTRICT JUDGE (WALKER, REAL PARTY IN INTEREST) *v. NELSON, WARDEN*. C. A. 9th Cir. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Derald E. Granberg* and *Charles R.-B. Kirk*, Deputy Attorneys General, for respondent. Reported below: 378 F. 2d 141.

No. 1053, Misc. *FRANK v. UNITED STATES*. C. A. 10th Cir. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *John B. Ogden* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States. Reported below: 384 F. 2d 276.

No. 1185, Misc. *BENTON v. MARYLAND*. Ct. Sp. App. Md. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted limited to the following questions:

(1) Is the double jeopardy clause of the Fifth Amendment applicable to the States through the Fourteenth Amendment?

June 17, 1968.

392 U.S.

(2) If so, was the petitioner "twice put in jeopardy" in this case?

Case transferred to appellate docket. *H. Thomas Sisk* and *M. Michael Cramer* for petitioner. *Francis B. Burch*, Attorney General of Maryland, and *Edward F. Borgerding*, Assistant Attorney General, for respondent. Reported below: 1 Md. App. 647, 232 A. 2d 541.

Certiorari Denied.

No. 89. *STOLLAR v. OGILVIE, SHERIFF*. Sup. Ct. Ill. Certiorari denied. *Charles A. Bellows* for petitioner. *John J. Stamos*, *Edward J. Hladis*, and *Ronald Butler* for respondent. Reported below: 36 Ill. 2d 261, 222 N. E. 2d 496.

No. 402. *LUCKE v. DAVIS, COMMISSIONER OF PERSONNEL OF MARYLAND, ET AL.* Ct. App. Md. Certiorari denied. *Leonard J. Kerpelman* for petitioner. *Francis B. Burch*, Attorney General of Maryland, *Thomas A. Garland*, Assistant Attorney General, for respondents. Reported below: 245 Md. 706, 228 A. 2d 313.

No. 924. *MARICOPA BY-PRODUCTS, INC., ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *John P. Frank* and *John J. Flynn* for petitioners. *Solicitor General Griswold* for the United States.

No. 1387. *BECKHAM v. MOUTON, COLLECTOR OF REVENUE OF LOUISIANA*. Ct. App. La., 2d Cir. and/or Sup. Ct. La. Certiorari denied. *Clarence L. Yancey* for petitioner. Reported below: 204 So. 2d 133.

No. 1396. *STEVENS INDUSTRIES, INC. v. MARYLAND CASUALTY Co.* C. A. 5th Cir. Certiorari denied. *Emmet J. Bondurant* for petitioner. *McChesney H. Jeffries* for respondent. Reported below: 391 F. 2d 411.

392 U. S.

June 17, 1968.

No. 1160. *YICK CHIN v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 9th Cir. Certiorari denied. *Joseph S. Hertogs* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, and *Philip R. Monahan* for respondent. Reported below: 386 F. 2d 935.

No. 1376. *MILGRAM ET AL. v. OLD COLONY TRUST CO. ET AL.* C. A. 3d Cir. Certiorari denied. *David Berger* and *Herbert B. Newberg* for petitioners. *Henry W. Sawyer III* for respondents Old Colony Trust Co. et al. Reported below: 387 F. 2d 939.

No. 1390. *JONES ET UX. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Walter A. Raymond* and *Kenneth C. West* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Rogovin*, and *Grant W. Wiprud* for the United States. Reported below: 387 F. 2d 1004.

No. 1406. *WESTWARD COACH MANUFACTURING CO., INC., ET AL. v. FORD MOTOR CO.* C. A. 7th Cir. Certiorari denied. *John P. Price* for petitioners. *Harry T. Ice* and *John R. Spielman* for respondent. Reported below: 388 F. 2d 627.

No. 1392. *GUTHRIE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *William B. McCollough, Jr.*, for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, and *Beatrice Rosenberg* for the United States. Reported below: 387 F. 2d 569.

No. 1397. *CATER ET AL. v. GORDON TRANSPORT, INC., ET AL.* C. A. 5th Cir. Certiorari denied. *Samuel C. Gainsburgh* for petitioners. *Edward Donald Moseley* for respondents. Reported below: 390 F. 2d 44.

June 17, 1968.

392 U. S.

No. 1391. *COLORADO v. FRANC ET AL.* Sup. Ct. Colo. Certiorari denied. *Duke W. Dunbar*, Attorney General of Colorado, *William Tucker*, Assistant Attorney General, and *Clifton A. Flowers*, Special Assistant Attorney General, for petitioner. *Marjorie W. McLean* for respondents. Reported below: — Colo. —, 437 P. 2d 48.

No. 1394. *SWINGLE v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *William H. Dempsey, Jr.*, and *Anthony A. Lapham* for petitioner. *Solicitor General Griswold*, Assistant Attorney General *Vinson*, Beatrice *Rosenberg*, and *Sidney M. Glazer* for the United States. Reported below: 389 F. 2d 220.

No. 1410. *MIDWESTERN GAS TRANSMISSION CO. ET AL. v. FEDERAL POWER COMMISSION ET AL.* C. A. 7th Cir. Certiorari denied. *W. C. Braden, Jr.*, *Harry S. Littman*, *Melvin Richter*, *Jack Werner*, *Dale A. Wright*, *Harold L. Talisman*, and *Harry R. Begley* for petitioners. *Solicitor General Griswold*, *Richard A. Solomon*, *Peter H. Schiff*, and *Israel Convisser* for respondent Federal Power Commission, and *Christopher T. Boland*, *Thomas F. Brosnan*, *George J. Meiburger*, and *Harry L. Albrecht* for respondent Independent Natural Gas Association of America. Reported below: 388 F. 2d 444.

No. 1413. *LITTLE RIVER MARINE CONSTRUCTION CO., INC. v. FLAKSA.* C. A. 5th Cir. Certiorari denied. *Richard F. Ralph* for petitioner. *Walter H. Beckham* for respondent. Reported below: 389 F. 2d 885.

No. 1444. *AMERICAN ACCEPTANCE CORP. v. SCHOENTHALER ET AL.* C. A. 5th Cir. Certiorari denied. *William Gresham Ward* and *Richard Aaron Kanner* for petitioner. *Charles R. Morgan* and *Harry G. Carratt* for respondents. Reported below: 391 F. 2d 64.

392 U. S.

June 17, 1968.

No. 522. *LANE v. TEXAS*. Ct. Crim. App. Tex. Motion to dispense with printing petition granted. Certiorari denied. *Emmett Colvin, Jr.*, for petitioner. *Crawford C. Martin*, Attorney General of Texas, *George M. Cowden*, First Assistant Attorney General, *R. L. Lattimore*, *Howard M. Fender*, and *Robert E. Owen*, Assistant Attorneys General, and *A. J. Carubbi, Jr.*, for respondent. Reported below: 424 S. W. 2d 925.

No. 857. *MILLER, AKA COPPOLA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Steven B. Duke* and *W. Paul Flynn* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Mervyn Hamburg* for the United States. Reported below: 381 F. 2d 529.

No. 1200. *POWELL v. COMMITTEE ON ADMISSIONS AND GRIEVANCES OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA*. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Edmund L. Jones*, *Francis W. Hill, Jr.*, and *Roger Robb* for respondent.

No. 1364. *COMMISSIONER OF INTERNAL REVENUE v. SUGAR DADDY, INC., ET AL.*; and

No. 1389. *WEINBERG ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of these petitions. *Solicitor General Griswold* for petitioner in No. 1364. *Ernest George Williams* for petitioners, and *Mr. Griswold*, *Assistant Attorney General Rogovin*, *Gilbert E. Andrews*, and *Louis M. Kauder* for respondent in No. 1389. Reported below: 386 F. 2d 836.

June 17, 1968.

392 U. S.

No. 1393. *NUCCIO ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Jerome Lewis* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Paul C. Summitt* for the United States.

No. 971. *DUMAINE v. LOUISIANA*. Sup. Ct. La. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Guy Johnson* for petitioner. *Jack P. F. Gremillion*, Attorney General of Louisiana, *William P. Schuler*, Assistant Attorney General, and *Jim Garrison* for respondent.

No. 974. *IN RE POWELL*. C. A. D. C. Cir. Motion to stay order of disbarment denied. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion and petition.

No. 1068. *THOMPSON v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Marshall W. Krause* for petitioner. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, and *Gloria F. DeHart*, Deputy Attorneys General, for respondent. Reported below: 252 Cal. App. 2d 76, 60 Cal. Rptr. 203.

No. 526, Misc. *WEAVER v. LANE, WARDEN*. C. A. 7th Cir. Certiorari denied. *Thomas L. Shaffer* for petitioner. *John J. Dillon*, Attorney General of Indiana, and *Douglas B. McFadden*, Assistant Attorney General, for respondent. Reported below: 382 F. 2d 251.

No. 1154. *WALLACE v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied for the reason that petition was not timely filed. *David S. Haynes* for petitioner.

392 U. S.

June 17, 1968.

No. 1090. *HENRY v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied without prejudice to the bringing of a proceeding for relief in federal habeas corpus. Neither this disposition, nor the proceedings in the Mississippi courts pursuant to our remand, 379 U. S. 443, shall in any way affect petitioner's entitlement to the costs of \$1,367.99 ordered in our mandate of March 2, 1965, to be paid petitioner by the State of Mississippi. See 381 U. S. 908 (respondent's motion to retax costs denied). But the proceedings in that regard initiated in the Mississippi Supreme Court by petitioner's motion of April 1, 1965, are still pending and our disposition will enable that court to proceed to effectuate our mandate.

Except with reference to the matter of costs, MR. JUSTICE HARLAN and MR. JUSTICE STEWART would deny certiorari without more.

Robert L. Carter, Barbara A. Morris, Jack H. Young, and Raymond A. Brown for petitioner. *Joe T. Patterson*, Attorney General of Mississippi, and *G. Garland Lyell, Jr.*, Assistant Attorney General, for respondent. Reported below: 202 So. 2d 40.

No. 1369. *SONDEREGGER v. HEISS*. Ct. App. Cal., 2d App. Dist. Motion to dispense with printing petition granted. Certiorari denied.

No. 1386. *BROOKS v. UNITED STATES*. C. A. 3d Cir. Motion to dispense with printing petition granted. Certiorari denied. *F. Emmett Fitzpatrick* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 392 F. 2d 320.

No. 811, Misc. *MURRAY, ADMINISTRATOR v. MCNEILL ET AL.* C. A. 4th Cir. Certiorari denied. *Josiah S. Murray III, pro se, Robert M. Ward, and David A. White* for petitioner. *Gaston H. Gage* for respondents. Reported below: 382 F. 2d 84.

June 17, 1968.

392 U. S.

No. 1377. *WECHSLER ET AL. v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS dissents. *David I. Shapiro, George Kaufmann, Frank F. Flegal, E. Waller Dudley, Philip F. Herrick, Raymond W. Bergan, Thomas R. Dyson, and LeRoy E. Batchelor* for petitioners. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States. Reported below: 392 F. 2d 344.

No. 900, Misc. *BLEDSON v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch, Attorney General of California, William E. James, Assistant Attorney General, and James H. Kline, Deputy Attorney General*, for respondent. Reported below: 252 Cal. App. 2d 727, 60 Cal. Rptr. 703.

No. 921, Misc. *BLACKSTONE v. OLIVER, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. *Thomas C. Lynch, Attorney General of California, and Edward A. Hinz, Jr., and Daniel J. Kremer, Deputy Attorneys General*, for respondents.

No. 928, Misc. *JACKSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 384 F. 2d 825.

No. 929, Misc. *BLAIR ET AL. v. BELL, CHIEF JUSTICE, COURT OF CIVIL APPEALS, ET AL.* Sup. Ct. Tex. Certiorari denied. *Orville A. Harlan* for petitioners. *Crawford C. Martin, Attorney General of Texas, and Howard M. Fender, Assistant Attorney General*, for respondents.

No. 1191, Misc. *JACKSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 384 F. 2d 375.

392 U. S.

June 17, 1968.

No. 969, Misc. *WOLFF v. FOLEY*. Sup. Ct. Cal. Certiorari denied. *Henry F. Walker* for respondent. *Thomas C. Lynch*, Attorney General, *Miles J. Rubin*, Senior Assistant Attorney General, *Loren Miller, Jr.*, Deputy Attorney General, for the State of California, in opposition.

No. 1014, Misc. *FEELEY v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Clifford L. Schaffer*, Deputy Attorney General, for respondent.

No. 1030, Misc. *WEST v. McMANN, WARDEN*. C. A. 2d Cir. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Joel Lewittes*, Assistant Attorney General, for respondent.

No. 1040, Misc. *JACKSON v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Kirby W. Patterson* for the United States. Reported below: 384 F. 2d 825.

No. 1065, Misc. *THORPE v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. *Earl Faircloth*, Attorney General of Florida, and *Charles W. Musgrove*, Assistant Attorney General, for respondent. Reported below: 204 So. 2d 215.

No. 1093, Misc. *BONEY v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. *William G. Clark*, Attorney General of Illinois, and *John J. O'Toole* and *Donald J. Veverka*, Assistant Attorneys General, for respondent. Reported below: 38 Ill. 2d 23, 230 N. E. 2d 167.

June 17, 1968.

392 U. S.

No. 1088, Misc. *MINK v. PARKE, DAVIS & CO. ET AL.* Sup. Ct. Mich. Certiorari denied. *Earl R. Boonstra* for respondent Upjohn Co.; and *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *Solomon H. Bienenfeld*, Assistant Attorney General, for respondent Michigan Corrections Department.

No. 1112, Misc. *DAVANEY v. FIELD, MENS COLONY SUPERINTENDENT.* Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Jack K. Weber*, Deputy Attorney General, for respondent.

No. 1123, Misc. *CRANE v. MISSOURI.* Sup. Ct. Mo. Certiorari denied. *Norman H. Anderson*, Attorney General of Missouri, and *Gerald L. Birnbaum*, Assistant Attorney General, for respondent. Reported below: 420 S. W. 2d 309.

No. 1144, Misc. *ALLRED v. PEYTON, PENITENTIARY SUPERINTENDENT.* C. A. 4th Cir. Certiorari denied. *Julian E. Savage* for petitioner. *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent. Reported below: 385 F. 2d 360.

No. 1198, Misc. *HOBBS v. FRYE, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 1231, Misc. *JACK v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, and *Beatrice Rosenberg* for the United States. Reported below: 387 F. 2d 471.

No. 1262, Misc. *KOZUCK ET UX. v. LAL CONSTRUCTION Co.* Sup. Ct. N. J. Certiorari denied.

392 U. S.

June 17, 1968.

No. 1273, Misc. *BEAR v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Joe Cannon* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Jerome M. Feit, and Robert G. Maysack* for the United States. Reported below: 384 F. 2d 132.

No. 1283, Misc. *KORDIC ET UX. v. ESPERDY*, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION SERVICE. C. A. 2d Cir. Certiorari denied. *Leon B. Polsky* for petitioners. *Solicitor General Griswold, Assistant Attorney General Vinson, and Philip R. Monahan* for respondent. Reported below: 386 F. 2d 232.

No. 1288, Misc. *HOLLOWAY v. REINCKE, WARDEN*. C. A. 2d Cir. Certiorari denied. *Alan Miles Ruben* for petitioner. *John D. LaBelle* for respondent.

No. 1347, Misc. *TORRES v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 1350, Misc. *BAKER v. RUSSELL, WARDEN*. Sup. Ct. Tenn. Certiorari denied.

No. 1383, Misc. *BRETT v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 2d Cir. Certiorari denied. *Edith Lowenstein* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for respondent. Reported below: 386 F. 2d 439.

No. 1401, Misc. *JACKSON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Murray M. Segal* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 390 F. 2d 317.

June 17, 1968.

392 U.S.

No. 1397, Misc. *FINNEY v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. *Gerald W. Getty, Marshall J. Hartman, and James J. Doherty* for petitioner. Reported below: 88 Ill. App. 2d 204, 232 N. E. 2d 247.

No. 1454, Misc. *HOGAN v. OHIO*. Ct. App. Ohio, Cuyahoga County. Certiorari denied. *James R. Willis* for petitioner. *John T. Corrigan* for respondent.

No. 1457, Misc. *HILL v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. Reported below: 39 Ill. 2d 125, 233 N. E. 2d 367.

No. 1463, Misc. *PIZZARUSSO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Leon B. Polsky* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States. Reported below: 388 F. 2d 8.

No. 1474, Misc. *LOTT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States. Reported below: 389 F. 2d 763.

No. 1483, Misc. *DEL PIANO v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States. Reported below: 386 F. 2d 436.

No. 1563, Misc. *STANPHILL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States. Reported below: 390 F. 2d 650.

392 U. S.

June 17, 1968.

No. 1546, Misc. *BARNES v. MARYLAND*. Ct. Sp. App. Md. Certiorari denied.

No. 1552, Misc. *PANIZZI ET AL., ADMINISTRATORS v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.*; and

No. 1553, Misc. *PANIZZI ET AL., ADMINISTRATORS v. STATE FARM MUTUAL AUTOMOBILE INSURANCE CO.* C. A. 3d Cir. Certiorari denied. *Paul A. Simmons* for petitioners in both cases. *Francis H. Patrono* for respondent in both cases. Reported below: 386 F. 2d 600.

No. 1573, Misc. *RIVERA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 388 F. 2d 545.

No. 1577, Misc. *HERNANDEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 255 Cal. App. 2d 478, 63 Cal. Rptr. 133.

No. 1591, Misc. *GODFREY v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. *Richard J. Bruckner* for petitioner. Reported below: 182 Neb. 451, 155 N. W. 2d 438.

No. 1592, Misc. *MAHONEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Orville A. Harlan* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States. Reported below: 387 F. 2d 616.

No. 1596, Misc. *WESTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States.

June 17, 1968.

392 U. S.

No. 1597, Misc. *RAYMOND v. CRAVEN, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 1602, Misc. *GONZALES v. CRAVEN, WARDEN.* Sup. Ct. Cal. Certiorari denied.

No. 1607, Misc. *LEMBKE v. CALIFORNIA.* Sup. Ct. Cal. Certiorari denied.

No. 1608, Misc. *CLINE v. CALIFORNIA.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 1613, Misc. *JOHNSON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States.

No. 1614, Misc. *CHESSE v. BUNTING ET AL.* Sup. Ct. Tex. Certiorari denied. *Morton Brauer* for petitioner. *George A. McAlmon, Jr.,* for Bunting, and *Wayne Windle* for Chess, respondents.

No. 1616, Misc. *ELLIS v. NEW JERSEY.* C. A. 3d Cir. Certiorari denied.

No. 1623, Misc. *THOMAS v. MARYLAND.* Ct. Sp. App. Md. Certiorari denied. Reported below: 2 Md. App. 502, 235 A. 2d 777.

No. 1624, Misc. *CALLOWAY v. PEYTON, PENITENTIARY SUPERINTENDENT.* C. A. 4th Cir. Certiorari denied.

No. 1640, Misc. *WINIECKI v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Edward Fenig* for the United States.

392 U. S.

June 17, 1968.

No. 1634, Misc. *WHITE v. LEAVITT*. C. A. 4th Cir. Certiorari denied.

No. 1635, Misc. *GRASSMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Edward Fenig* for the United States. Reported below: 390 F. 2d 793.

No. 1643, Misc. *ARCHIE v. NEW MEXICO*. C. A. 10th Cir. Certiorari denied.

No. 1646, Misc. *CINNAMON v. KENTUCKY*. Ct. App. Ky. Certiorari denied.

No. 1647, Misc. *NOWICKI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States.

No. 1648, Misc. *FOX v. MARONEY, CORRECTIONAL SUPERINTENDENT*. C. A. 3d Cir. Certiorari denied. Reported below: 385 F. 2d 839.

No. 1653, Misc. *LANDMAN v. PEYTON, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied.

No. 1654, Misc. *HALSEY v. NITZE, SECRETARY OF THE NAVY, ET AL.* C. A. 4th Cir. Certiorari denied. *Howard I. Legum* for petitioner. *Solicitor General Griswold* for respondents. Reported below: 390 F. 2d 142.

No. 1659, Misc. *PRINCE v. BETO, CORRECTIONS DIRECTOR*. Ct. Crim. App. Tex. Certiorari denied.

No. 1669, Misc. *GARDNER v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

June 17, 1968.

392 U.S.

No. 1656, Misc. JACKSON *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 255 Cal. App. 2d 584, 63 Cal. Rptr. 359.

No. 1666, Misc. KELLY ET AL. *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Edward Fenig* for the United States.

No. 1671, Misc. GOLD *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. *Wilbur D. Dersch* for petitioner. Reported below: 38 Ill. 2d 510, 232 N. E. 2d 702.

No. 1673, Misc. DAUGHERTY, AKA DOUGHERTY *v.* CRAVEN, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 1676, Misc. McEWEN, AKA RAMUS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States. Reported below: 390 F. 2d 47.

No. 1677, Misc. TOVREA *v.* CITY AND COUNTY OF DENVER. Sup. Ct. Colo. Certiorari denied.

No. 1679, Misc. CHARLES *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. *Paul W. Anderson* for petitioner. *Crawford C. Martin*, Attorney General of Texas, and *Lonny F. Zwiener*, Assistant Attorney General, for respondent. Reported below: 424 S. W. 2d 909.

No. 1680, Misc. FOSTON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 389 F. 2d 86.

392 U.S.

June 17, 1968.

No. 1683, Misc. HIGGINS *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 28 App. Div. 2d 1016, 283 N. Y. S. 2d 699.

No. 1687, Misc. HONEA *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 257 Cal. App. 2d 259, 64 Cal. Rptr. 628.

No. 1691, Misc. TERAN *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 1692, Misc. WHITE *v.* PEYTON, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 1694, Misc. PAINE *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied.

No. 1696, Misc. PAGE *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. *John R. Snively* for petitioner. Reported below: 38 Ill. 2d 611, 232 N. E. 2d 689.

No. 1697, Misc. WALKER *v.* CALIFORNIA. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 1698, Misc. DeBONIS *v.* NEW JERSEY. Sup. Ct. N. J. Certiorari denied. *Peter Murray* and *Richard Newman* for petitioner.

No. 1707, Misc. CAPLER *v.* CITY OF GREENVILLE. Sup. Ct. Miss. Certiorari denied. *Fountain D. Dawson* for petitioner. *J. Robertshaw* for respondent. Reported below: 207 So. 2d 339.

No. 1710, Misc. BLAND *v.* NENNA, WARDEN. C. A. 2d Cir. Certiorari denied. *Leon B. Polsky* for petitioner. *Frank S. Hogan* and *H. Richard Uviller* for respondent.

June 17, 1968.

392 U. S.

No. 1703, Misc. FRANKLIN *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied.

No. 1704, Misc. FURTAK *v.* McMANN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 1705, Misc. MAHI *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1713, Misc. SCOTT *v.* NELSON, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 1714, Misc. FORBES *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied.

No. 1715, Misc. DENMAN *v.* SHUBOW ET AL. C. A. 1st Cir. Certiorari denied. *Elliot L. Richardson*, Attorney General of Massachusetts, and *Oscar S. Burrows*, Assistant Attorney General, for respondents.

No. 1717, Misc. MILLER ET AL. *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *Peter J. O'Connor* for respondent.

No. 1718, Misc. VALENZUELA *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1719, Misc. JOHNSON, AKA JOHANSON *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *George J. Aspland* and *Joseph F. O'Neill* for respondent.

No. 1720, Misc. PICHE *v.* RHAY, PENITENTIARY SUPERINTENDENT. Sup. Ct. Wash. Certiorari denied.

No. 1740, Misc. RAY ET AL. *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. *William Cahn* and *George Danzig Levine* for respondent.

392 U. S.

June 17, 1968.

No. 1722, Misc. ADAIR *v.* WARDEN, MARYLAND PENITENTIARY. Crim. Ct., Baltimore City. Certiorari denied.

No. 1735, Misc. WINTERS *v.* TURNER, WARDEN. Sup. Ct. Utah. Certiorari denied.

No. 1736, Misc. KIDWELL *v.* INDIANA. Sup. Ct. Ind. Certiorari denied. *Ferdinand Samper* for petitioner. *John J. Dillon*, Attorney General of Indiana, and *Rex P. Killian*, Deputy Attorney General, for respondent. Reported below: — Ind. —, 230 N. E. 2d 590.

No. 1738, Misc. HARRISON *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Robert G. Maysack* for the United States.

No. 1745, Misc. PINEDA *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Donald F. Frost* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, and *Beatrice Rosenberg* for the United States.

No. 1771, Misc. JACKSON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Jerome M. Feit*, and *Edward Fenig* for the United States. Reported below: 390 F. 2d 50.

No. 1821, Misc. SANDS *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. *Earl Faircloth*, Attorney General of Florida, and *Arden M. Siegendorf*, Assistant Attorney General, for respondent.

No. 1868, Misc. LYONS *v.* FULTZ. C. A. 5th Cir. Certiorari denied. *Orville A. Harlan* and *Clarke Gable Ward* for petitioner. *Joe S. Moss* for respondent.

June 17, 1968.

392 U. S.

No. 1861, Misc. MORFORD *v.* HOCKER, WARDEN. C. A. 9th Cir. Certiorari denied. *Melvin Schaengold* for petitioner. *Harvey Dickerson*, Attorney General of Nevada, and *William J. Raggio*, for respondent. Reported below: 394 F. 2d 169.

No. 141, Misc. CARPENTER *v.* NEBRASKA. Sup. Ct. Neb. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *William G. Line* for petitioner. Reported below: 181 Neb. 639, 150 N. W. 2d 129.

No. 482, Misc. MUHAMMAD *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Anthony F. Marra* for petitioner. *Isidore Dollinger* and *Daniel J. Sullivan* for respondent.

No. 501, Misc. ROBINSON *v.* CIVIL SERVICE COMMISSION, CITY OF CLEVELAND. Ct. App. Ohio, 8th Jud. Dist. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Charles E. Mosley, Jr.*, for petitioner. *Daniel J. O'Loughlin* for respondent.

No. 653, Misc. DUPREE *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *John Jackson Collins* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg*, and *Mervyn Hamburg* for the United States. Reported below: 380 F. 2d 233.

No. 1267, Misc. CLARK *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Reported below: 252 Cal. App. 2d 479, 60 Cal. Rptr. 569.

392 U. S.

June 17, 1968.

No. 683, Misc. *BRETT ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for the United States. Reported below: 377 F. 2d 520.

No. 1116, Misc. *CRADLE v. PEYTON, PENITENTIARY SUPERINTENDENT*. Sup. Ct. App. Va. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Albert Teich, Jr.*, for petitioner. *Robert Y. Button*, Attorney General of Virginia, and *Reno S. Harp III*, Assistant Attorney General, for respondent. Reported below: 208 Va. 243, 156 S. E. 2d 874.

No. 1367, Misc. *LARA v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *George A. Blackstone* for petitioner. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *James H. Kline*, Deputy Attorney General, for respondent. Reported below: 67 Cal. 2d 365, 432 P. 2d 202.

No. 1186, Misc. *GREEN v. MISSISSIPPI*. Sup. Ct. Miss. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Lawrence A. Aschenbrenner* for petitioner. *Joe T. Patterson*, Attorney General of Mississippi, and *Guy N. Rogers*, Assistant Attorney General, for respondent. Reported below: 203 So. 2d 470.

No. 1674, Misc. *BIGGS v. UNITED STATES*. Ct. Cl. Certiorari and other relief denied. *Solicitor General Griswold* for the United States.

June 17, 1968.

392 U. S.

No. 1242, Misc. BAILEY ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted and the judgment reversed. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 386 F. 2d 1.

No. 1245, Misc. O'BRIEN *v.* INTERSTATE COMMERCE COMMISSION. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Clement Theodore Cooper* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for respondent.

No. 1248, Misc. ROSE *v.* HASKINS, CORRECTIONAL SUPERINTENDENT. C. A. 6th Cir. Motion to supplement petition granted. Certiorari denied. *Bernard A. Berkman* for petitioner. *William B. Saxbe, Attorney General of Ohio, and Leo J. Conway, Assistant Attorney General, for respondent.* Reported below: 388 F. 2d 91.

No. 1325, Misc. GREGORY *v.* WARDEN, LEAVENWORTH PENITENTIARY. C. A. 10th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold, Assistant Attorney General Vinson, and Beatrice Rosenberg* for respondent.

No. 1672, Misc. CACHOIAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold* for the United States. Reported below: 390 F. 2d 654.

392 U. S.

June 17, 1968.

No. 1547, Misc. *BRENNAN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE FORTAS are of the opinion that certiorari should be granted and the judgment reversed on authority of *Garrity v. New Jersey*, 385 U. S. 493. *Joseph L. Belvedere* for petitioner. *Frank S. Hogan, H. Richard Uviller, and Alan F. Scribner* for respondent. Reported below: 21 N. Y. 2d 712, 234 N. E. 2d 701.

Rehearing Denied.

No. 410. *DUNCAN v. LOUISIANA*, 391 U. S. 145;

No. 1228. *THOMPSON v. UNITED STATES*, 391 U. S. 903;

No. 1275. *BUTTERMAN ET UX. v. WALSTON & Co., INC., ET AL.*, 391 U. S. 913;

No. 1276. *DANILO ET AL. v. DOBREA, EXECUTOR*, 391 U. S. 949;

No. 1298. *CIELEN v. AETNA LIFE INSURANCE Co., ET AL.*, 391 U. S. 915;

No. 1027, Misc. *SPURLIN v. DUTTON, WARDEN, ET AL.*, 391 U. S. 920;

No. 1404, Misc. *KELLY v. KANSAS ET AL.*, 391 U. S. 925;

No. 1446, Misc. *JACKSON v. NELSON, WARDEN*, 391 U. S. 361; and

No. 1459, Misc. *STELLO v. STRAND ET AL.*, 391 U. S. 968. Petitions for rehearing denied.

No. 906. *ROVICO, INC. v. AMERICAN PHOTOCOPY EQUIPMENT Co.*, 390 U. S. 945, 1037. Motion for leave to file second petition for rehearing denied.

No. 1392, Misc. *WALKER v. CALIFORNIA*, 391 U. S. 362. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

June 17, 1968.

392 U. S.

No. 715. *KAHN v. UNITED STATES*, 389 U. S. 1015. Motion for leave to file petition for rehearing denied. MR. JUSTICE DOUGLAS is of the opinion that the petition should be granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion.

No. 718. *SACHS ET AL. v. UNITED STATES*, 389 U. S. 1015. Petition for rehearing denied. MR. JUSTICE DOUGLAS is of the opinion that the petition should be granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.